IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL No.1338 OF 2004

Sanjay M. Gholap .... Appellant

Vs.

Sakharam K. Dahibhate ... Respondent

Mrs. Gauri Godse, advocate for appellant.

Mr. S. G. Deshmukh, advovcate for
respondent Nos. 1-1, 1-2, 1-6, 2 to 5.

CORAM : Dr. S. RADHAKRISHNAN, J.

DATE : JUNE 20, 2006.

P.C.

. Heard the learned counsel for the appellant and respondents. The above appellant being the original plaintiff had filed a suit for specific performance of the contract of sale of a particular land. Both the Trial Court and Lower Appellate Court had given concurrent findings to the effect that plaintiff has established the fact that he was ready and willing to perform the part of the contract, and that the land was to be re-granted on an old tenure, and that the defendants were ready and willing to perform

their part of the contract. It appears that plaintiff on the day of his visit in the Sub-Registrar office had wrongfully declined to execute sale deed, and on the next day agreement of sale stood cancelled, hence the suit was dismissed and appeal also was dismissed. There is no substantial question of law involved in this appeal. Hence, appeal stands dismissed.

[Dr. S. RADHAKRISHNAN, J.]